



**AGENDA**  
**September 12, 2011**  
**CITY COUNCIL CHAMBERS, CITY HALL**  
**29592 ELLENSBURG AVE**  
**GOLD BEACH OR 97444**

Call to order:            Time: \_\_\_\_\_

**1.     The pledge of allegiance**

**2.     Roll Call:**

	Present	Absent
Mayor James Wernicke		
Council Position #1 Jeff Crook		
Council Position #2 Larry Brennan		
Council Position #3 Brice Gregory		
Council Position #4 Doug Brand		
Council Position #5 Tamie Kaufman		
City Administrator Ellen Barnes		
Student Liaison Vacant		

**\*\*NOTE:** *If you would like to address this governing body, please present a completed "Business from the Audience" request to the Mayor at this time. Your request will be added under the CITIZEN COMMENTS section of our agenda. Comments and participation from the audience will be limited to 5 minutes without redundancy.*

**3.     Special Orders of Business:**

Outstanding Volunteer Service Recognition: Ben Winters  
Proclamations: National Preparedness Month, and Constitution Week  
Statement of Support for the Guard & Reserve

**4.     Consent Calendar**

None scheduled

**5.     Citizens Comments**

As presented to the Mayor at the beginning of the meeting

**6.     Public Hearing**

Hearing on proposed adoption of new public contracting rules

**7.     Citizen Requested Agenda Items**

Nana Paluch: Noise on 8/13 & 8/14, sirens used for non-emergency, and noise ordinance

**8.     Public Contracts and Purchasing**

None Scheduled

**9.     Ordinances & Resolutions**

- a. Ordinance 640 Amending Admin Code relating to procedures for public contracting
  - b. Resolution R1112-14 Training pay rate for muni judge
  - c. Resolution R1112-15 Accepting DLCD planning assistance grant
- 10. Miscellaneous Items (including policy discussions and determinations)**
- a. Discussion of transition plan and recruitment of new City Administrator
  - b. Discussion of SDC cost index mechanism
- 11. City Administrator's Report**
- 12. Mayor and Council Member Comments**
- a. Mayor James Wernicke
  - b. Councilors
    - 1) Jeff Crook
    - 2) Larry Brennan
    - 3) Brice Gregory
    - 4) Doug Brand
    - 5) Tamie Kaufman
  - c. Student Liaison, Vacant
- 13. Citizens Comments**
- 14. Executive Session**  
None scheduled

The next regularly scheduled meeting of the Gold Beach City Council is Monday, October 10, at 6:30PM in the Council Chambers of City Hall, 29592 Ellensburg Avenue, Gold Beach, Oregon

**15. Adjourn Time: \_\_\_\_\_**

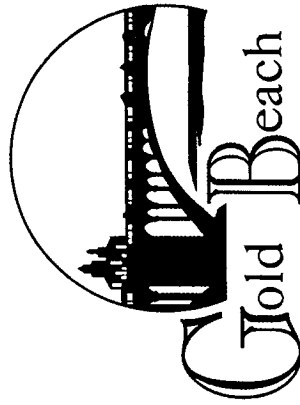
The location of the hearing/meeting is accessible to the disabled. Advance notice is requested if special accommodations are needed. Call 541-247-7029 so that appropriate assistance can be provided. The City of Gold Beach is an affirmative action EEOE and complies with section 504 of the rehab act of 1973. Complaints of discrimination should be sent to: USDA, Attention Director, Office of Civil Rights, Washington, D.C. 20250-9419

POST: City Hall  
Post Office

EMAILED: Media

[www.goldbeachoregon.gov](http://www.goldbeachoregon.gov)

# **SPECIAL ORDERS OF BUSINESS**



## OUTSTANDING VOLUNTEER SERVICE RECOGNITION

The City of Gold Beach wishes to present this Outstanding Volunteer Service Recognition to:

### BEN WINTERS

**For 31 years of tireless service to the City and its citizens as a volunteer fireman.**

Volunteerism is an essential, valued and often thankless job in our small community. Without volunteers like you, our way of life in Gold Beach would simply not be possible. Volunteer Firemen are to be especially commended in that they not only donate their valuable time but also put their lives at risk. Thank you for consistently rising to the occasion and donating your time all these years to help protect lives and keep our city safe.

Presented this 12<sup>th</sup> day of September, 2011

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Jeff Crook, Council Position #1

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Larry Brennan, Council Position #2

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Brice Gregory, Council Position #3

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Doug Brand, Council Position #4

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Tamie Kaufman, Council Position #5

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**James H. Wernicke, Mayor**



## PROCLAMATION

### National Preparedness Month, September 2011

**WHEREAS**, "National Preparedness Month" creates an important opportunity for every resident of the City of Gold Beach to prepare their homes, businesses, and neighborhoods for any type of emergency including natural disasters and potential terrorist attacks; and

**WHEREAS**, investing in the preparedness of ourselves, our families, businesses, and neighborhoods can reduce fatalities and economic devastation in our communities and in our nation; and

**WHEREAS**, the Federal Emergency Management Agency's *Ready* Campaign, Citizen Corps and other federal, state, local, tribal, territorial, private, and volunteer agencies are working to increase public activities in preparing for emergencies and to educate individuals on how to take action; and

**WHEREAS**, emergency preparedness is the responsibility of every citizen of Gold Beach and all citizens are urged to make preparedness a priority and work together to ensure that individuals, families, and neighborhoods are prepared for disasters and emergencies of any type; and

**WHEREAS**, all citizens of Gold Beach are encouraged to participate in citizen preparedness activities and asked to review the *Ready* campaign's websites at [Ready.gov](http://Ready.gov) and become more prepared.

**THEREFORE, BE IT RESOLVED** that I, James H. Wernicke, Mayor of Gold Beach hereby proclaim September, 2011 as National Preparedness Month, and encourage all citizens and businesses to develop their own emergency preparedness plan, and work together toward creating a more prepared Gold Beach.

Dated this 12<sup>th</sup> Day of September, 2011

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James H. Wernicke, Mayor

SEPTEMBER IS NATIONAL PREPAREDNESS MONTH

# A Time to Remember. A Time to Prepare.

## Did You Know?<sup>1</sup>

- Only 57% of people report that they have readiness items set aside in their homes for use in disaster
- Just 34% of people have readiness supplies in their car
- Less than half of households have an Emergency Plan and yet...
- 42% of individuals report that they would need help during a disaster

Preparedness is everyone's responsibility.  
**Are you Ready?**

To learn more about how you, your family, your business and your community can prepare for emergencies and get involved, please visit [ready.gov](http://ready.gov) or call 1-800-BE-READY, TTY 1-800-462-7585

<sup>1</sup> Data from: *Persona: Preparedness in America*. Findings from the 2009 Citizen Corps National Survey

Ready. ✓

NATIONAL  
PREPAREDNESS MONTH

September 2011 | [ready.gov](http://ready.gov)



citizen corps

SEPTEMBER IS NATIONAL PREPAREDNESS MONTH

# A Time to Remember. A Time to Prepare.

**Take steps this month to prepare your family, neighborhood and community for emergencies and disasters**

- ✓ Put together an emergency supply kit
- ✓ Make a family emergency plan
- ✓ Be prepared to help your neighbor
- ✓ Work as a team to keep everyone safe

To learn more about how you, your family, your business and your community can prepare for emergencies and get involved, please visit [ready.gov](http://ready.gov) or call 1-800-BE-READY, TTY 1-800-462-7585

Ready. ✓

NATIONAL  
PREPAREDNESS MONTH

September 2011

[ready.gov](http://ready.gov)



FEMA

[citizen.corps](http://citizen.corps)



## Proclamation

# Constitution Week

**WHEREAS**, the Constitution of the United States of America, the guardian of our liberties, embodies the principles of limited government in a Republic dedicated to rule by law; and

**WHEREAS**, September 17, 2011, marks the two hundred twenty fourth anniversary of the framing of the Constitution of the United States of America by the Constitutional Convention; and

**WHEREAS**, it is fitting and proper to accord official recognition to this important document and its memorable anniversary, and to the patriotic celebrations which will commemorate it; and

**WHEREAS**, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States designating September 17 through 23 as Constitution Week; and

**WHEREAS**, the Cape Sebastian Chapter of the National Society Daughters of the American Revolution, which seeks to promote patriotism, education, and historic preservation, has requested the City of Gold Beach join the President in proclaiming Constitution Week.

**NOW, THEREFORE**, be it resolved that I, James H. Wernicke, Mayor of the City of Gold Beach, do hereby proclaim the week of September 17<sup>th</sup> through the 23<sup>rd</sup> as CONSTITUTION WEEK and ask our citizens to reaffirm the ideals the framers of the Constitution had in 1787, by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties.

Dated this 12<sup>th</sup> of September, 2011

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James H. Wernicke, Mayor



RECEIVED

JUL 06 2011

CITY OF GOLD BEACH

PO Box 4681  
Brookings, OR 97415  
July 5, 2011

Mayor James Wernicke  
Gold Beach City Council  
29592 Ellensburg Ave.  
Gold Beach, OR 97444

Dear Mayor Wernicke:

While it may seem a bit early for this request, I am asking if you would consider issuing a proclamation for Constitution Week, September 17-23, 2011. Summer passes by quickly, and there are many activities taking place in our area. Therefore, I am making my request early in hopes of securing a place in your agenda.

The Constitution is the cornerstone and foundation of our government, and as such it should be honored and recognized. Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week. I am asking you to do likewise.

The National Society, Daughters of the American Revolution seeks to promote patriotism, education and historic preservation. The members of Cape Sebastian Chapter NSDAR believe that the issuing of a proclamation for Constitution Week does all three: it promotes patriotism, educates the public about the Constitution, and recognizes the Constitution's place in history.

I have enclosed sample proclamations, and respectfully request that you issue such a proclamation at the Gold Beach City Council meeting nearest to September 17<sup>th</sup>. With sufficient notice, I and/or other officers would be honored to attend the meeting.

Sincerely,



Mary Fox, Regent  
Cape Sebastian Chapter NSDAR



# STATEMENT OF SUPPORT FOR THE GUARD AND RESERVE



We recognize the Guard and Reserve are essential to the strength of our nation and the well-being of our communities.

In the highest American tradition, the patriotic men and women of the Guard and Reserve serve voluntarily in an honorable and vital profession. They train to respond to their community and their country in time of need. They deserve the support of every segment of our society.

If these volunteer forces are to continue to serve our nation, increased public understanding is required of the essential role of the Guard and Reserve in preserving our national security.

**Therefore, we join other employers in pledging that:**

- We fully recognize, honor and enforce the Uniformed Services Employment and Reemployment Rights Act (USERRA).
- Our managers and supervisors will have the tools they need to effectively manage those employees who serve in the Guard and Reserve.
- We will continually recognize and support our country's service members and their families in peace, in crisis, and in war.

\_\_\_\_\_  
Employer

National Chair  
Employer Support of the Guard and Reserve

Secretary of Defense

\_\_\_\_\_  
Date





## Statement of Support Program

Page 1


**T**he **Statement of Support Program** is the cornerstone of ESGR's effort to gain and maintain employer support. The intent of the program is to increase employer support for the Guard and Reserve by developing employers that advocate for employee participation in the military. Employers signing a Statement of Support make the following three commitments to their employees serving in the military:

- Employers will recognize, honor and enforce the Uniformed Services Employment and Reemployment Rights Act;
- Employers will provide their leadership with the resources necessary to effectively manage Guard and Reserve employees;
- Employers will continually recognize and support service members and their families in peace, crisis and war.

The first Statement of Support was signed in the Office of the Secretary of Defense by the Chairman of the Board of General Motors on December 13, 1972. President Nixon was the first President to sign a Statement of Support. In 2005, every federal Cabinet Secretary and all federal agencies signed a Statement of Support to signify their continuing efforts to be a model employer.

Since its inception, thousands of employers have signed a Statement of Support, pledging their support to Guard and Reserve employees. Since 2005, ESGR has seen significant increases in the number of Statements of Support signed by employers across the nation.

To request your Statement of Support, please visit [www.esgr.mil](http://www.esgr.mil).



**STATEMENT OF SUPPORT  
FOR THE GUARD AND RESERVE**

★ ★ ★ ★ ★

( Your Company )

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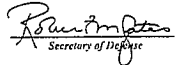
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Employer  
  

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Date

  
National Chair  
Employer Support of the Guard and Reserve

  
Secretary of Defense



# **ORDINANCES & RESOLUTIONS**

## ORDINANCE NO. 640

### AN ORDINANCE AMENDING GOLD BEACH ADMINISTRATIVE CODE SECTIONS 1.600 – 1.650 RELATING TO PROCEDURES FOR PUBLIC CONTRACTING

- WHEREAS:** The state legislature has amended the Oregon Public Contracting Code, ORS 279A, 279B, and 279C; and
- WHEREAS:** The City Council finds it would be in the best interest of the City to regularly update its Public Contracting Rules; and
- WHEREAS:** The City Council finds that adoption of Public Contracting Rules by resolution is authorized by the City Charter if so required by City ordinance and will provide the greatest level of flexibility for future Public Contracting Rule updates; and
- WHEREAS:** In order to adopt new public contracting rules that differ from the Attorney General's Model Public Contracting Rules ("Model Rules"), under ORS 279A.065(5), the City Council must: 1) specifically state that the Model Rules adopted by the Attorney General do not apply to City; and 2) prescribe its own public contracting rules, which may include portions of the Attorney General's Model Rules. The Local Contract Review Board may also adopt rules for public contracting not covered by the Model Rules, as long as they do not conflict with the Public Contracting Code.

**NOW, THEREFORE,** the City of Gold Beach ordains as follows:

Section 1. Existing Gold Beach Code Sections 1.600 – 1.650 are hereby repealed, and the following Code sections are adopted:

#### CITY CONTRACTS

- 1.600 Contract Review Board and Contracting Agency
- 1.605 Opting Out of Attorney General's Model Rules and Authorizing Rule Adoption by Resolution
- 1.610 Authority of City Administrator

#### **1.600 Contract Review Board and Contracting Agency.**

The Gold Beach City Council is designated as the local Contract Review Board of the City and shall have all of the rights, powers, and authority necessary to carry out the provisions of ORS Chapters 279A, 279B, and 279C (the "Public Contracting Code"), City Public Contracting Rules ("City Rules") and the Gold Beach Code. The City Administrator, his or her designee, and any other purchasing agent as authorized by City policy, is hereby designated as the City's

"Contracting Agency" and may exercise all authorities, powers, and duties granted to a Contracting Agency under the Public Contracting Code and City Rules, unless otherwise limited by City ordinance, resolution, or policy.

**1.605 Opting Out of the Attorney General's Model Rules.**

Public contracts shall be let by the City of Gold Beach in accordance with the State of Oregon Public Contracting Code and City Public Contracting Rules, to be adopted by resolution of the City Council and Local Contract Review Board if required by State law. The City hereby opts out of the Model Rules adopted by the Attorney General pursuant to ORS 279A.065, and hereafter those rules do not apply to City.

**1.610 Authority of City Administrator.**

The City Administrator or his or her designee is authorized to:

- (1) Enter into City contracts not to exceed \$75,000 without additional authorization of the Local Contract Review Board.
- (2) Recommend that the Local Contract Review Board approve or disapprove contract awards in excess of \$75,000, or change orders or amendments to contracts of more than \$75,000.

Section 2. All other previously adopted ordinances, resolutions, and other enactments establishing Public Contracting Rules for the City of Gold Beach are hereby repealed.

Section 3. This ordinance affects the city's ability to purchase goods and services and, therefore, an emergency is declared to exist and this ordinance shall be in full force and effect from the date of its passage

Passed by the City Council of the City of Gold Beach, County of Curry, State of Oregon, this \_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
James H. Wernicke, Mayor

ATTEST:

\_\_\_\_\_  
Jodi Fritts, City Recorder

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

**RESOLUTION R1112-14**

**RESOLUTION ESTABLISHING A TRAINING PAY RATE FOR THE MUNICIPAL  
JUDGE AND MUNICIPAL JUDGE PRO TEM**

- Whereas:** Chapter V, Section 21 of the City of Gold Beach City Charter grants the City Council of the City of Gold Beach the authority to specify the compensation for the Gold Beach Municipal Court Judge and Judge Pro-tem; and
- Whereas:** Through Resolution R 1112-09 the Gold Beach City Council set the compensation for the Gold Beach Municipal Court Judge and the Municipal Court Judge Pro-tem at \$45 per hour not to exceed \$6,800 for Fiscal Year 2011-12; and
- Whereas:** It is desirable for the City to support ongoing professional training for both the Gold Beach Municipal Court Judge and Municipal Court Judge Pro-tem to ensure they remain current with changes in federal and state laws; and
- Whereas:** Both federal and state law require employees receive compensation for time engaged in professional training if the training is required as a part of their job responsibilities; and
- Whereas:** It is not fiscally practical for the City to compensate the Gold Beach Municipal Court Judge and Municipal Court Judge Pro-tem for time involved in professional training at the rate of \$45 per hour; and
- Whereas:** Federal and state law allow for the establishment of differing pay rates for the same position for different duties, tasks or functions so long as the pay rate is equal to or greater than the prevailing minimum wage rate; and
- Whereas:** It is in the best financial interest of the City to establish a separate training pay rate for the Gold Beach Municipal Court Judge and Municipal Court Judge Pro-tem.

**NOW, THEREFORE, BE IT RESOLVED:** that the City Council of the City of Gold Beach, Oregon does hereby establish a training pay rate for the Gold Beach Municipal Court Judge and the Municipal Court Judge Pro-tem at \$17.00 per hour.

**PASSED BY THE CITY COUNCIL OF THE CITY OF GOLD BEACH, COUNTY OF CURRY, STATE OF OREGON, THIS 21<sup>st</sup> DAY OF SEPTEMBER 2011.**

\_\_\_\_\_  
James H. Wernicke, Mayor

Attest:

\_\_\_\_\_  
Jodi Fritts, City Recorder

**RESOLUTION R1112-15**

**A RESOLUTION ACCEPTING GRANT FUNDING FROM THE OREGON  
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT TO  
SUPPORT PLANNING SERVICES**

**WHEREAS:** The Oregon Department of Land Conservation and Development (DLCD) offers Planning Assistance grants to small cities with populations under 2,500; and

**WHEREAS:** DLCD distributes these funds biennially to small cities to support planning and development programs.

**NOW, THEREFORE, BE IT RESOLVED:** the City Council of the City of Gold Beach, Oregon, accepts the DLCD Planning Assistance grant to support the City's planning program for the 2011-2013 grant cycle in the amount of \$1,000, and authorizes the City Administrator to sign the grant documents on behalf of the City

Passed by the City Council of the City of Gold Beach, County of Curry, State of Oregon, this 12<sup>th</sup> day of September, 2011.

\_\_\_\_\_  
James H. Wernicke, Mayor

ATTEST:

\_\_\_\_\_  
Jodi Fritts, City Recorder





# Oregon

John A. Kitzhaber, M.D., Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: (503) 373-0050

Fax: (503) 378-5518

[www.oregon.gov/LCD](http://www.oregon.gov/LCD)

RECEIVED

AUG 19 2011

CITY OF GOLD BEACH



**DATE:** August 18, 2011  
**TO:** Eligible Oregon cities and counties  
**FROM:** Darren Nichols, Community Services Division Manager  
**SUBJECT:** 2011-2013 Planning Assistance grants

Community partners:

The Department of Land Conservation and Development (DLCD) is pleased to offer Planning Assistance grants to help Oregon communities implement successful planning and development programs. Cities with populations under 2,500 are eligible to receive a \$1,000 grant and counties with populations under 15,000 are eligible to receive a \$3,500 grant.

The funds are easy to secure (just sign and mail the attached forms) and easy to account for (just complete and send the one-page summary of expenditures). *NOTE: This offer is good through November 1, 2011.*

**Please review the attached agreement, then sign two copies and mail both originals to DLCD at: 635 Capitol Street NE, Suite 150, Salem, Oregon 97301 – Attention Larry French.** Your signature indicates acceptance of the terms and conditions in the grant agreement. Once DLCD receives both signed copies, we will return one signed copy with a check in the amount described above.

We are consistently amazed by the value Oregon communities demonstrate with these grants and we hope you will take advantage of this opportunity. The funds can be used for a wide variety of supplies and services that support your local planning program and *help your Oregon community prepare for the future*. If you have any questions about our grant programs or need help with an application, please contact your regional representative at <http://www.oregon.gov/LCD/repelist.shtml> or contact our administrative specialist Larry French at 503.373.0050 x283 or [Larry.French@state.or.us](mailto:Larry.French@state.or.us).

Thanks for your interest in Oregon's statewide planning program.  
We look forward to working with you!

Sincerely,

Darren J. Nichols  
Community Services Division Manager

*Enclosed please find:*

- Two "grant agreements" (contracts ready for your signature); and
- A list of conditions under which we are able to offer grants to local governments.

## MISC ITEMS

## Letter of Engagement for City Administrator Recruitment Services

The League of Oregon Cities would provide the City of Gold Beach with City Administrator recruitment services as outlined below:

1. We would meet with the City Council to develop a profile for candidate recruitment and selection. This involves a review with the City Council of the desired skills, training, and experiences that would be desired for a successful recruitment. That is, how do we describe what the city administrator candidates should possess in order to professionally, competently and successfully serve the City of Gold Beach in the position of City Administrator. The development of a profile and related discussion of the City's needs, issues, and approach to recruitment is the critical component of the process, as all of the subsequent work is based on those discussions. We also discuss a general timeframe for the recruitment. The next publication schedule would be:
  - a. Local Focus issue around \_\_\_\_\_ (deadline for insertion \_\_\_\_\_)
  - b. ICMA Newsletters (generally published two weeks after submission)
2. The closing date is to be determined by the City Council, typically thirty days from publication. The ad could be placed on the LOC website as soon as it was ready. Following the closing date, there is a one to two week period for review of applications and preparation of the report for the City Council. The remainder of the time schedule depends on the City Council. Background checks require a 3 week lead time and can be scheduled prior to interviews when appropriate.
2. Based on the meeting and profile developed, LOC would prepare an advertisement for placement in Local Focus and on the LOC and Association of Washington Cities websites at no additional charge. The advertisement would be placed in other venues, such as the ICMA Newsletter (highly recommended) at the city's cost for the advertisement.
3. LOC will screen applications and send acknowledgement letter to all applicants.
4. LOC will respond to inquiries from candidates during the process.
5. LOC will prepare a summary of applicants and identify a smaller group of candidates that appear to most closely meet the city's criteria and needs. At the city's option, we will forward all applications after the screening with our report or only those identified as most closely meeting the city's criteria.
6. We will meet with the City Council to review the candidate reports and discuss options and next steps in the process.
7. Based on the Council's direction, we will assist the Council with any or all of the following as part of the base fee:
  - a. Interview question preparation
    - i. Telephone screening by City and/or

- ii. Interview process questions
  - b. Designing an interview process
  - c. Assisting with arrangements for technical interview panel members
  - d. Calling candidates to set up interviews
  - e. Participate in the interview process if requested
  - f. Provide examples of contracts if requested.
  - g. Additional contacts as requested to assist in the process or its conclusion.
- 8. We will have background checks prepared on those candidates identified by the Council. The base fee includes up to 4 background checks at no additional charge. Background checks in excess of 4 are billed to the city at \$375 per applicant.
- 9. We will send out regret letters to unsuccessful candidates at appropriate juncture in the process.

Items not included in the fee charge by LOC are travel for candidates and related expenses of candidates for participating in interview processes or the costs of the interview process such as meals and facilities. LOC does not charge the city for LOC staff travel costs.

LOC's inclusive fee for its assistance to the City would be \$6,000 exclusive of actual costs of ads, which would be billed to the City by LOC. We are flexible and provide services directly related to assisting the City in its recruitment. The City would be responsible to have its legal counsel prepare or review any proposed employment contract with the person being hired as City Administrator. LOC would assist in negotiating a contract, if requested by the City, as part of LOC's base service provision.

League of Oregon Cities

By: \_\_\_\_\_  
Jennie Messmer  
Member Services Director

The above proposal is hereby accepted by the City of Gold Beach.

By: \_\_\_\_\_  
Title: \_\_\_\_\_

Date: \_\_\_\_\_

#### 4.3.8 Recreational Facilities

Amusement arcade centers include video game parlors, in-door shooting ranges, pool halls and in-door paint-ball facilities. Those portions of the facility devoted to food service or bar service should be assessed separately. The food service gross area should include kitchen, pantry and table areas. In addition, each assessment type should include a proportionate amount of storage, restroom, hallway, cashier and entrance space.

In the case of golf courses, miniature golf should be assessed at the same rate as conventional golf courses per hole. Food service facilities should be assessed separately. Driving ranges should be assessed at a rate of 33% per hole cost per driving position.

#### 4.3.9 Residential

The SDCs are based upon comparison with the City services typically required of a single family detached dwelling. Modular or mobile homes anchored to the ground should be assessed at the same rates as conventional homes.

#### 4.4 Conclusion

As noted at the beginning of this study, new homes and commercial facilities in the Gold Beach Urban Growth Boundary place additional demands upon the existing infrastructure and require the construction of municipal infrastructure to support this development. The City should resist the temptation to adjust fees based on income tests, profitability, or other criteria not related to the actual impact of the proposed development. The State Attorney General's Office was contacted regarding this concept and was not comfortable with it for a number of reasons. To reduce fees in this manner is not consistent with principles of equality under law and will shift the burden of infrastructure development to others, including existing system users. If the City desires to subsidize certain developments, it should do so by direct payment of the subsidized amount to the SDC funds from other funds specifically established for this purpose.

The next step for the City of Gold Beach, after acceptance of this study, is to craft and pass an ordinance establishing the SDC methodology and costs adopted by the City Council. As noted previously, all interested parties must be provided notification of this process and allowed an opportunity to participate.

A final recommendation is made that the City Council consider the establishment of a cost index mechanism to be included in the ordinance. The recommended index is the Engineering News Record (ENR) Construction Price Index found at:

<http://enr.construction.com/features/conEco/costIndexes/constIndexHist.asp>

The base index should be established as 7106 for June 2004. This index should be used to automatically adjust the SDCs for each service area on a yearly basis. This will adjust for inflation (or deflation) and maintain the SDC with respect to actual construction costs in the future. The ENR index meets the requirements of SB 939 Section 4.

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## Construction Cost Index History - As of September 2011

[View all Historical Indices »](#)Text size: **A** **A**

HOW ENR BUILDS THE INDEX: 200 hours of common labor at the 20-city average of common labor rates, plus 25 cwt of standard structural steel shapes at the mill price prior to 1996 and the fabricated 20-city price from 1996, plus 1.128 tons of portland cement at the 20-city price, plus 1,088 board ft of 2 x 4 lumber at the 20-city price.

ENR'S CONSTRUCTION COST INDEX HISTORY (1908-2011)

YEAR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	AVG.
2011	8938	8998	9011	9027	9035	9053	9080	9088	9116				
2010	8660	8672	8671	8677	8761	8805	8865	8858	8836	8921	8951	8952	8802
2009	8549	8533	8534	8528	8574	8578	8566	8564	8586	8596	8592	8641	8570
2008	8090	8094	8109	8112	8141	8185	8293	8362	8557	8623	8602	8551	8310
2007	7880	7880	7856	7865	7942	7939	7959	8007	8050	8045	8092	8089	7966
2006	7660	7689	7692	7695	7691	7700	7721	7722	7763	7883	7911	7888	7751
2005	7297	7298	7309	7355	7398	7415	7422	7479	7540	7563	7630	7647	7446
2004	6825	6862	6957	7017	7065	7109	7126	7188	7298	7314	7312	7308	7115
2003	6581	6640	6627	6635	6642	6694	6695	6733	6741	6771	6794	6782	6694
2002	6462	6462	6502	6480	6512	6532	6605	6592	6589	6579	6578	6563	6538
2001	6281	6272	6279	6286	6288	6318	6404	6389	6391	6397	6410	6390	6343
2000	6130	6160	6202	6201	6233	6238	6225	6233	6224	6259	6266	6283	6221
1999	6000	5992	5986	6008	6006	6039	6076	6091	6128	6134	6127	6127	6059
1998	5852	5874	5875	5883	5881	5895	5921	5929	5963	5986	5995	5991	5920
1997	5765	5769	5759	5799	5837	5860	5863	5854	5851	5848	5838	5858	5826
1996	5523	5532	5537	5550	5572	5597	5617	5652	5683	5719	5740	5744	5620
1995	5443	5444	5435	5432	5433	5432	5484	5506	5491	5511	5519	5524	5471
1994	5336	5371	5381	5405	5405	5408	5409	5424	5437	5437	5439	5439	5408
1993	5071	5070	5106	5167	5262	5260	5252	5230	5255	5264	5278	5310	5210
1992	4888	4884	4927	4946	4965	4973	4992	5032	5042	5052	5058	5059	4985
1991	4777	4773	4772	4766	4801	4818	4854	4892	4891	4892	4896	4889	4835
1990	4680	4685	4691	4693	4707	4732	4734	4752	4774	4771	4787	4777	4732

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inflation figured by subtracting current  
cost index (June 2004) by the chosen month/year  
difference then divided by current cost  
this gives the percentage increase

## ANNUAL AVERAGE

YEAR	AVG	YEAR	AVG	YEAR	AVG	YEAR	AVG
1989	4615	1988	4519	1987	4406	1986	4295
1985	4195	1984	4146	1983	4066	1982	3825
1981	3535	1980	3237	1979	3003	1978	2776
1977	2576	1976	2401	1975	2212	1974	2020
1973	1895	1972	1753	1971	1581	1970	1381
1969	1269	1968	1155	1967	1074	1966	1019
1965	971	1964	936	1963	901	1962	872
1961	847	1960	824	1959	797	1958	759
1957	724	1956	692	1955	660	1954	628
1953	600	1952	569	1951	543	1950	510
1949	477	1948	461	1947	413	1946	346
1945	308	1944	299	1943	290	1942	276
1941	258	1940	242	1939	236	1938	236
1937	235	1936	206	1935	196	1934	198
1933	170	1932	157	1931	181	1930	203
1929	207	1928	207	1927	206	1926	208
1925	207	1924	215	1923	214	1922	174
1921	202	1920	251	1919	198	1918	189
1917	181	1916	130	1915	93	1914	89
1913	100	1912	91	1911	93	1910	96
1909	91	1908	97				

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**Project Leads/Pulse**

Gives readers a glimpse of who is planning and constructing some of the largest projects throughout the U.S. Much information for pulse is derived from McGraw-Hill Construction Dodge.

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Information is provided on construction projects in following stages in each issue of ENR: Planning, Contracts/Bids/Proposals and Bid/Proposal Dates.

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All services, equipment, supplies, materials, labor are subject to 15% overhead.

SYSTEM DEVELOPMENT SDC CHARGES (SDC):

*Current SDC*

Water: ¾" meter \$2753 Minimum

Sewer: 1 Equivelant Residential Unit (ERU) \$4398 Minimum

Streets: \$1232

The above charges reflect the minimum charges. If additional work is required (boring under road, etc) customer will be billed the additional charges.

Fire:

The following charges for responding to fires outside the current fire districts and not included in the mutual agreement listed in Resolution R-9192-19.

FIRST PUMPER: \$350. HR

SECOND PUMPER: \$300. HR

MANPOWER: \$ 40./HR/MAN

MATERIALS (FOAM ETC) CITY'S COST

MINIMUM OF 1 HR, 1/2 HOUR INCREMENTS AFTER THAT

ENGINE PAY ENDS WHEN RETURNED TO STATION

MANPOWER PAY ENDS WHEN ENGINES ARE RESET FOR THE NEXT CALL

NO CHARGE FOR THE JAWS OF LIFE

These charges will also apply to anyone in the districts, with or without a burn permit, whose fire gets out of control requiring a fire department response.

Police:

Excessive False Alarms

As a result of excessive false alarms, the City needs to recover some of the direct costs involved by charging a fee for response to repeated false alarms that were the result of employee/human error. When an off duty officer responds to these false alarms it results in a call out cost of 2 .5 hours overtime.

1. Three employee/person errors are allowed per calendar year at no cost to the person/business.

2. Three electro/mechanical malfunctions per calendar year will be allowed provided there are measures taken by the responsible persons to verify the problems and take corrective action.

3. The fourth and each subsequent calls due to employee/person error or electro/mechanical error will result in a fee of \$125.

Each response to a false alarm will be dated and signed by the employee/person and the responding officer.

FEE SCHEDULE FOR PLANNING DEPARTMENT

The City contracts with the County Planning Department and has adopted the County Planning Department Fees that they may change from time to time.

Planning: Applicant will be responsible to the City for any City contracted expenses.



## RESOLUTION NO. R0506-6

### A RESOLUTION ESTABLISHING METHODOLOGIES FOR SYSTEM DEVELOPMENT CHARGES FOR THE SANITARY SEWER SYSTEM AND THE WATER SYSTEM AND REPEALING RESOLUTION R0405-7

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF GOLD BEACH, pursuant to Ordinance No. 578.

#### Section 1. GENERAL BACKGROUND

The City of Gold Beach, Oregon has a 2005 estimated water service area demand of 1,786 Equivalent Dwelling Units (EDUs) and an estimated waste water system demand of 1,244 EDUs.

The study period for SDC calculations has been selected as fifteen years (2005-2020). The water service area EDU count for 2020 is projected to be 2,233 and the waste water system EDU count for 2020 is projected to be 1,554. Therefore, during the period between 2005 and 2020, there are estimated to be 447 additional water system EDUs and 310 wastewater system EDUs. Because of the City's long standing investment in both the water and sewer systems, which provide various amounts of reserve capacity for future development, it is reasonable for the City to recuperate those reserve capacity costs as the capacity is utilized and to take these costs into account when calculating the reimbursement fee portion of the system development charge to be imposed upon new development.

In addition, it is reasonable that the portion of costs for new water and sewer capital improvements which will be necessary to provide service for new development should be taken into account by the City when calculating the improvement fee portion of the system development charge to be imposed upon new development.

#### Section 2. DESIGNATION OF CAPITAL IMPROVEMENT PLAN

The capital improvement plan used in determining the improvement fee portion of the system development charges is comprised of the following documents. When there is conflicting information in the documents, unless the council directs otherwise, the document with the most recent date shall be used.

CITY OF GOLD BEACH COMPRESHENSIVE WATER SYSTEM MASTER PLAN, July 1999.

WATER AND SEWER SYSTEM DEVELOPMENT CHARGES report of December 2004.

SEWER SYSTEM DEVELOPMENT CHARGES revised report of September 2005.

CAPITAL IMPROVEMENT PROJECTS listed in the approved and projected budgets for the current fiscal year and following years.

#### Section 3. DETERMINATION OF SYSTEM DEVELOPMENT CHARGE

The total system development charge for a proposed development shall be determined by totaling the charge for each capital improvement system for which the council has determined a methodology and rate and adding an administrative fee of 2% and then deducting any credit.

If the system development charge is not paid at the time of issuance of the permit it may be paid in equal semi-annual installments of principle and interest over a period of not to exceed 10 years. The interest on the unpaid principle balance shall be 10% per annum. Such installment payments shall be secured by a lien against the property upon which the development occurred or by some other collateral acceptable to the City.

#### Section 4. SANITARY SEWER SYSTEM CHARGE

4.1 The reimbursement fee portion of the City's sanitary sewer system is based on the following estimated values as determined from the City's records of municipal assets:

4.1.1 Non Local Improvement District (LID) funded, depreciated current value of \$3,071,932

4.1.2 Remaining value after deduction of 60% grant funded portion is \$1,228,773

4.1.3 Remaining value after deduction of capacity already utilized by customers is \$267,630.

4.1.4 Remaining value after deduction of portion currently financed is \$121,611. This is the eligible SDC reimbursement value of the wastewater system inventory.

4.1.5 The reimbursement portion of the sanitary sewer System Development Charge is calculated by dividing the eligible reimbursement value by the study period (15 years) number of projected new EDUs as follows:

$$\$121,611 / (310 \text{ EDUs}) = \$392/\text{EDU}$$

4.2 The improvement fee portion of the City's sanitary sewer system is based on the Capital Improvement Plan (CIP) as summarized in Table 3.4.1.1 of the report titled, Revisions to the Water & Sewer System Development Charges, Gold Beach, Curry County, Oregon, September 2005:

4.2.1 The values of the improvements listed in the CIP total \$8,643,950, of which \$2,552,925 is estimated to be required to provide additional capacity necessary to serve future customers.

4.2.2 The improvements listed in the CIP generally have a design life of 20 years and are anticipated to be funded by grants in the amount of 40%. The SDC study period is 15 years. Therefore a reduction factor is appropriate and is calculated as follows:

$$(15 \text{ years} / 20 \text{ years} \times 60\% \text{ non-grant funding portion}) = 0.45$$

4.2.3 The SDC eligible improvement cost for wastewater is calculated as follows:

$$\$2,552,925 \times 0.45 = \$1,148,816$$

- 4.2.4 The improvement portion of the waste water System Development Charge is calculated by dividing the eligible improvement value by the study period (15 years) by the number of projected new EDUs as follows:

$$\$1,148,816 (310 \text{ EDUs}) = \$3,706/\text{EDU}$$

4.3 SDC Determination The City Administrator shall determine the daily demand upon the sanitary sewer system for development in terms of Equivalent Dwelling Units (EDUs). An single EDU is defined as the demand placed on the sanitary sewer system by a typical single family residential unit. The wastewater flow associated with 1 EDU is 190 gallons per day. The City Administrator shall take into account:

4.3.1 The daily demand figures published by DEQ and other local government jurisdictions for the development or similar developments;

4.3.2 The SDC historically charged the same or similar development;

4.3.3 Table 4.2.2 – SDC Calculation Sheet for City of Gold Beach as contained in the report titled, “CITY OF GOLD BEACH WATER AND SEWER SYSTEM DEVELOPEMENT CHARGES”, December, 2004.

4.4 Total Wastewater System Development Charge (SDC) per EDU:

The total Wastewater SDC per EDU shall be based upon the sum of the reimbursement (\$392) and improvement (\$3,706) portions per EDU which equals \$4,098 per EDU.

## Section 5. WATER SYSTEM CHARGE

5.1 The reimbursement fee portion of the City's water system is based on the following estimated values as determined from the City's records of municipal assets:

5.1.1 Non Local Improvement District (LID) funded, depreciated current value of \$4,308,846

5.1.2 Remaining value after deduction of 0% grant funded portion is \$4,308,846

5.1.3 Remaining value after deduction of capacity already utilized by customers is \$862,631.

5.1.4 Remaining value after deduction of portion currently financed is \$820,966. This is the eligible SDC reimbursement value of the wastewater system inventory.

- 5.1.5 The reimbursement portion of the water System Development Charge is calculated by dividing the eligible reimbursement value by the study period (15 years) number of projected new EDUs as follows:

$$\$820,966 / (447 \text{ EDUs}) = \$1,837/\text{EDU}$$

5.2 The improvement fee portion of the City's water system is based on the Capital Improvement Plan (CIP) as summarized in Table 2.4.1.1 of the report titled, "City of Gold Beach Water and Sewer System Development Charges", December 2004:

- 5.2.1 The values of the improvements listed in the CIP total \$362,419, of which \$252,930 is estimated to be required to provide additional capacity necessary to serve future customers.
- 5.2.2 The improvements listed in the CIP generally have a design life corresponding with the SDC study period and are not anticipated to be funded by grants.
- 5.2.3 The improvement portion of the Water System Development Charge is calculated by dividing the eligible improvement value by the study period (15 years) by the number of projected new EDUs as follows:

$$\$252,930 / (447 \text{ EDUs}) = \$566/\text{EDU}$$

5.3 SDC Determination The City Administrator shall determine the potential peak demand upon the water system for development in terms of Equivalent Dwelling Units (EDUs). A single EDU is defined as the demand placed on the water system by a ¾" water meter and is typical of a single family residential unit. The average water usage associated with 1 EDU is 269 gallons per day. Meters or meter capacity installed only for fire fighting capacity shall not assessed SDCs and an adjustment shall be made based on the meter size required were fire fighting capacity not provided. The City Administrator shall determine the water EDUs for development in accordance with the following schedule.:

Meter Size	EDUs per Meter
¾"	1
1"	1.7
1 ½"	3.3
2"	5.3
3"	10
4"	16.7
6"	33.3
8"	53.3

5.4 Total Water System Development Charge (SDC) per EDU:

The total Water SDC per EDU shall be based upon the sum of the reimbursement (\$1,837) and improvement (\$566) portions per EDU which equals \$2,403 per EDU.

Section 6. AVERAGE COST OF CONNECTION

6.1 The average cost of inspection and connection for sanitary sewer and water systems are:

per connection

Sanitary Sewer: ..... \$300

Water: 5/8" to 1" meter ..... \$350  
1-1/4" to 2" meter ..... \$500  
2" to 6" meter ..... \$400 + materials

6.2 The average cost set in 6.1 above shall be paid in full at the time of the issuance of the connection permit. Because of unusual circumstances, the actual cost of inspection and connection to the sanitary sewer system or the water system exceeds the average cost paid, the City Administrator may require the excess cost be paid as provided in section 3.525 of Ordinance No. 578.

Section 7. CREDITS

7.1 No credits shall be given to be applied to the system development charge imposed except:

7.1.1 As required by state law for a qualified public improvement; or

7.1.2 When the Council determines based upon clear and convincing evidence provided by the developer that the proposed development will not place on the capital improvement the level of demand projected by this resolution.

7.1.3 A full or partial credit may be given when the council determines the proposed development will make an identified, direct, substantial and sustained enhancement to the economic vitality of the city:

7.1.3.1 Which is not related to the construction of the development;  
and

7.1.3.2 Which would not have been realized but for the proposed development.

Before receiving the credit allowed by this paragraph 7.1.3, the developer shall enter into an agreement with the City which requires the payment of all or part of the SDC excused because of this paragraph 7.1.3 if the development, when constructed and operating, fails to perform as represented when the credit is granted.

7.2 Credits are not transferable from one development to another unless the development is being constructed in phases. Credits for one capital system of the system development charge may not be applied to the system development charge of another capital system.

7.3 If subsequent amendments to this Resolution delete or reduce a credit previously granted but not used, the amount of the credit given shall be set by the Resolution in affect at the time an applicant seeks to apply the credit to the system development charge being imposed.

Section 8.

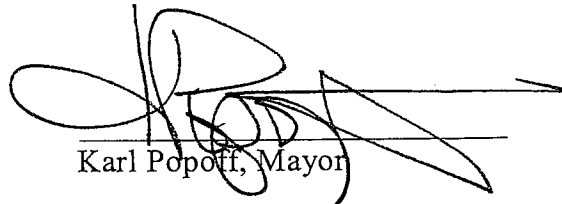
This resolution is a companion document to the 2004 Water and Sewer Development Charges Report prepared in December 2004 and Revisions to the Water and Sewer System Development Charges prepared in September 2005. These revisions reflect changes to the Capital Improvement Plan as noted in the 2005 Wastewater Facilities Plan and contains no changes to the Water Development Charges.

Section 9.


The effective date of this Resolution will be December 1, 2005.

Passed by the Gold Beach City Council, on October 10, 2005.

ATTEST:



Karl Popoff, Mayor



Shirley Walker, Recorder